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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,614	02/20/2004	Gene C. Hunt	1417-0001	7219
7590	10/03/2006			
Cook, Alex, McFarron, Manzo, Cummings & Mehler Suite 2850 200 West Adams Chicago, IL 60606			EXAMINER SNIDER, THERESA T	
			ART UNIT 1744	PAPER NUMBER

DATE MAILED: 10/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/783,614

Applicant(s)

HUNT, GENE C.

Examiner

Theresa T. Snider

Art Unit

1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) 8-10 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6 and 7 is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 5/17/2004.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-7, drawn to a cleaning head, classified in class 15, subclass 321.
  - II. Claims 8-10, drawn to a cleaning compartment, classified in class 15, subclass 302.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I and II are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different designs, modes of operation, and effects (MPEP § 802.01 and § 806.06). In the instant case, the different inventions have different designs; one has a plurality of fingers while the other is an enclosure with a slot.
3. Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions have acquired a separate status in the art due to their recognized divergent subject matter, restriction for examination purposes as indicated is proper.
4. During a telephone conversation with James Pristelski on 9/22/2006 a provisional election was made with traverse to prosecute the invention of Group I, claims 1-7. Affirmation of this election must be made by applicant in replying to this Office action. Claims 8-10 withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

***Specification***

5. The disclosure is objected to because of the following informalities:

Exemplary of such:

Page 13, 0041, 'cause damage the' should be replaced with 'cause damage to the'.

Page 14, 0045, '72' should be replaced with '62'.

Page 15, 0047, '72' should be replaced with '27'.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claim 1 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Godbey.

Godbey discloses a source of cleaning fluid (col. 1, lines 53-55).

Godbey discloses a manifold in fluid communication with the source (fig. 1, #5).

Godbey discloses a plurality of spaced apart fingers arranged in a row on the manifold and in communication therewith (fig. 1, #6).

Godbey discloses at least one orifice disposed in the side of each finger (fig. 1, #7).

8. Claim 1 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by De Petra.

De Petra discloses a source of cleaning fluid (col. 4, lines 65-67).

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De Petra discloses a manifold in fluid communication with the source (fig. 1, #60).

De Petra discloses a plurality of spaced apart fingers arranged in a row on the manifold and in communication therewith (fig. 1, #62).

De Petra discloses at least one orifice disposed in the side of each finger (col. 3, lines 60-62).

### ***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

11. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sussman et al. in view of De Petra.

Sussman et al. discloses a similar cleaning head however fails to disclose orifices in the fingers.

Sussman et al. discloses a source of cleaning fluid (fig. 1, #68).

Sussman et al. discloses a manifold in fluid communication with the source (fig. 1, #70).

Sussman et al. discloses a plurality of spaced apart fingers arranged in a row on the manifold and in communication therewith (fig. 1, #24).

De Petra discloses a cleaning head having a plurality of fingers with orifices therein (col. 3, lines 60-62). It would have been obvious to one of ordinary skill in the art to provide the orifices of De Petra in the fingers of Sussman et al. to allow for fluid to more closely contact a blind for the most effective cleaning thereof.

With respect to claim 2, it would have been obvious to one of ordinary skill in the art to determine the most appropriate orifice arrangement in Sussman et al. in view of De Petra to allow for the most effective cleaning of a blind.

With respect to claim 3, Sussman et al. discloses an extendible mast (fig. 1, #56). It would have been obvious to one of ordinary skill in the art to determine the most appropriate location of the mast in Sussman et al. in view of De Petra to allow for the greatest ease in reaching an elevated blind.

With respect to claim 4, Sussman et al. discloses a cleaning pad disposed about each finger (fig. 1, #34).

***Allowable Subject Matter***

12. Claims 6-7 are allowed.
13. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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14. The following is a statement of reasons for the indication of allowable subject matter: the prior art discloses a cleaning head having a pair of fingers and at least one orifice defined in each finger HOWEVER fails to disclose or fairly suggest a coupling extending laterally from each of the opposed sides of the fingers, the couplings engageable to unit the plurality of fingers into a single head with spaced apart fingers in a row, the couplings providing fluid communication from finger to finger and to the at least one orifice.

### ***Conclusion***

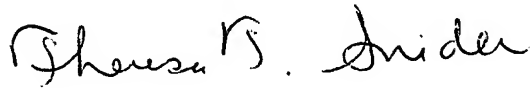
15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lincoln, DeLoach, Eckert, Schaming, Johnson disclose a manifold in fluid communication with a fluid source, a plurality of spaced apart fingers and at least one orifice disposed in the finger. Delacretaz discloses a cleaning head with a manifold, a plurality of spaced apart fingers and cleaning pads disposed on each finger.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Theresa T. Snider whose telephone number is (571) 272-1277. The examiner can normally be reached on Monday-Friday (5:30am-2:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gladys Corcoran can be reached on (571) 272-1214. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, reading "Theresa T. Snider". The signature is written in a cursive style with a large initial "T".

Theresa T. Snider  
Primary Examiner  
Art Unit 1744

9/24/06